

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2015040121

ORDER GRANTING MOTION TO
AMEND COMPLAINT

On March 27, 2015, Student filed a Due Process Hearing Request (complaint), naming District. On June 17, 2015, Student filed a Joint Stipulation for Petitioner's First Amended Request for Due Process. District endorsed the stipulation.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).)¹ The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

District has consented in writing and the stipulation allows District to schedule a resolution session following service of the amended complaint. Further, the motion to amend is timely. The request is granted.² The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: June 22, 2015

/s/

CHRIS BUTCHKO

Administrative Law Judge

Office of Administrative Hearings

¹ All statutory citations are to title 20 United States Code unless otherwise indicated.

² The stipulation included an agreement to continue dates. That agreement is mooted by the granting of the request to amend, which resets the decision timelines.

